

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OKLAHOMA**

(1) WHALEN KING,)	
)	
Plaintiff,)	
)	
v.)	Case Number 16-cv-399-TCK-TLW
)	(Formerly Tulsa County, Oklahoma
(1) SOUTHWEST AVIATION)	Case Number CJ-2016-01986)
SPECIALTIES, LLC,)	
)	
Defendant.)	

NOTICE OF REMOVAL

Defendant Southwest Aviation Specialties, LLC (“Southwest”), pursuant to 28 U.S.C. §§ 1331, 1441, and 1446, respectfully notifies this Court of the removal of this action from the District Court of Tulsa County, Oklahoma to the United States District Court for the Northern District of Oklahoma. In support of this *Notice of Removal*, Southwest states:

1. On May 25, 2016, Plaintiff Whalen King (“King”) commenced this litigation by filing a Petition in the District Court of Tulsa County, Oklahoma styled *Whalen King v. Southwest Aviation Specialties, LLC*, Case Number CJ-2016-01986 (the “State Court Action”).
2. As required by 28 U.S.C. § 1446(b), this *Notice of Removal* is being timely filed within thirty (30) days of King’s May 28, 2016 service of his Petition on Southwest.
3. The United States District Court for the Northern District of Oklahoma includes the state judicial district in which King filed the State Court Action.
4. Pursuant to LCvR 81.2, Southwest is filing concurrently herewith a *Status Report of Removed Action*.
5. Also pursuant to LCvR 81.2, Southwest is attaching a copy of King’s Petition filed in the State Court Action as Exhibit A and the docket sheet therefrom as Exhibit B.

6. Pursuant to 28 U.S.C. § 1446(d), Southwest will also promptly file a copy of this *Notice of Removal* in the State Court Action and provide a copy thereof to counsel of record for King.

7. King's Petition alleges that while he was an employee of Southwest, he was subjected to discrimination and retaliation on the basis of race in violation of Title VII of the Civil Rights Act, as amended, 42 U.S.C. § 2000(e), *et seq.*

8. King's Petition additionally asserts a pendent state law claim against Southwest for discrimination based on race under OKLA. STAT. tit. 25, § 1101.

9. Because one of King's claims against Southwest is a federal question arising under the laws of the United States, King invoked this Court's original jurisdiction under 28 U.S.C. § 1331 and the State Court Action is therefore removable to this Court without regard to the citizenship or residence of the parties in accordance with 28 U.S.C. § 1441 (b).

10. Southwest submits this *Notice of Removal* without waiving any defenses to the federal or state claims asserted by King, without conceding whether King timely pled claims upon which relief can be granted and without admitting that King is entitled to any relief whatsoever.

WHEREFORE, Defendant Southwest Aviation Specialties, LLC hereby removes the referenced action from the District Court of Tulsa County, State of Oklahoma and requests that further proceedings be conducted in this Court as provided by law.

Respectfully submitted,

ROBINETT, SWARTZ & AYCOCK

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CERTIFICATE OF SERVICE

I hereby certify that on June 27, 2016, I electronically transmitted the foregoing document to the Clerk of Court using the ECF System for filing and transmittal of a Notice of Electronic Filing to the following ECF registrants:

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